

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NATHANIEL LEMONT)
ALEXANDER,)
Petitioner,)
vs.) Case No. 4:17 CV 872 CDP
UNITED STATES OF AMERICA,)
Respondent.)

MEMORANDUM AND ORDER

Petitioner Nathaniel Lemont Alexander brought this case for return of property under Fed. R. Crim. P. 41(g), seeking the return of \$20,935.00 in currency and his cell phone. Alexander admits that these items were seized by agents of the Federal Bureau of Investigation when they arrested him on federal charges. He argues, however, that the property should be returned to him because it was never used as evidence against him in court and the government no longer needs it. The United States responds that Alexander forfeited these items as part of a written plea agreement he signed on December 2, 2015, in criminal case number 4:15 CR 528 CDP.

In his plea agreement Alexander agreed that, in exchange for the government's agreement not to bring additional charges, he would forfeit all items

seized by law-enforcement officials during the course of their investigation. He specifically agreed that any currency seized would be forfeited, and he specifically agreed that all the items seized were either proceeds of his unlawful activity, were commingled with illegal proceeds, or were used to facilitate the illegal activity. Alexander has forfeited his interest in these items by agreement and therefore this case will be dismissed with prejudice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Nathaniel Lemont Alexander's motion for return of property [Doc No. 1] is **DENIED**. A separate order of dismissal with prejudice will be entered this same date.

IT IS FURTHER ORDERED that plaintiff's motion for leave to proceed in forma pauperis [Doc No. 4] is **DENIED as moot**.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of May, 2017.